

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA,)
)
 PLAINTIFF,)
)
 v.) CIVIL ACTION NO. 2:07cv136-WHA
)
SEVEN THOUSAND EIGHT HUNDRED)
SIXTY DOLLARS (\$7,860) DOLLARS)
IN UNITED STATES CURRENCY,)
)
 DEFENDANT.)

MOTION TO FILE ADDITIONAL SUPPORT FOR REQUEST TO ENTER DEFAULT

The United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and John T. Harmon, Assistant United States Attorney, hereby submits the following:

1. The Defendant property in this case was originally the subject of an administrative forfeiture action conducted by the Drug Enforcement Administration (DEA). Bruce Maddox, Esq. filed a claim in that administrative action on behalf of Lucy Burdette. As a result of this claim, this matter was referred to this office for review and, if warranted, the filing of a judicial forfeiture action.

2. The United States did file a civil forfeiture action and attempted service of notice of same upon Ms. Burdette. Additionally, Mr. Maddox was also served. No claims or answers were filed in the civil forfeiture and the United States moved for default judgment. Mr. Maddox has refreshed undersigned counsel's

recollection that he had contacted Mr. Maddox regarding this matter before filing for default. Mr. Maddox contacted Ms. Burdette and was informed she did not wish to pursue a defense in the civil forfeiture action. Mr. Maddox then informed undersigned counsel of this.

Respectfully submitted this the 25th day of January, 2008.

FOR THE UNITED STATES ATTORNEY
LEURA G. CANARY

/s/John T. Harmon

John T. Harmon
Assistant United States Attorney
Office of the United States Attorney
Middle District of Alabama
131 Clayton Street
Montgomery, Alabama 36101-0197
Telephone: (334) 223-7280
Facsimile: (334) 223-7560
E-mail: John.Harmon@usdoj.gov
Bar Number: 7068-II58J